

NO. 30169

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

CATINA LOUISE BEAM, n/k/a CATINA STEFANIK,
Plaintiff-Appellant,
v.
BRUCE WOODFORD BEAM, Defendant-Appellee.

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-D NO. 07-1-0232)

ORDER DENYING PLAINTIFF-APPELLANT'S MOTION FOR RECONSIDERATION
(By: Foley and Ginoza, JJ.;
and Nakamura, C.J., dissenting)

Upon consideration of the Motion For Reconsideration filed on November 24, 2010 by Catina L. Beam, now known as Catina L. Stefanik (Stefanik) and the records and files herein, it appears that there is no basis on which to grant the motion.

Stefanik argues that this court dismissed her argument without proper consideration and alleges that she:

requested transcripts for all proceedings related to this case, and is now being held responsible for the Family Court's failure to provide the same. Plaintiff's request for transcripts is part of the judicial record, and Judge Ching's approval of waiving the fees for these transcripts is also part of the judicial record. (emphasis added).

Stefanik is incorrect in her assertions.

As referenced in the Memorandum Opinion issued on November 15, 2010, the record on appeal establishes that Stefanik

made a transcript request only for the trial dates of September 14 and 15, 2009. These transcripts were made a part of the record on appeal. However, no other transcript request was filed with the family court and no other transcripts were made a part of the record on appeal. This court cannot consider the transcripts Stefanik now attaches to her Motion for Reconsideration.

Furthermore, this court did not overlook or misapprehend any of Stefanik's contentions regarding the jurisdiction of the family court or any other asserted point of error.

Therefore, IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, December 23, 2010.

Associate Judge

Associate Judge